IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 6951 OF 2005

Pritam Tarachand Phade .. ..Applicant

Versus

The State of Maharashtra .. ..Respondent

Mr.Shirish Gupte, Sr. Counsel with Mr.S.r.Mithare for applicant

Mr.S.R.Shinde, APP for respondent

CORAM : D.G.DESHPANDE &

V.M.KANADE, JJ.

DATE : 25TH NOVEMBER, 2005.

P.C.:

1. Heard the learned counsel for the petitioner and the learned APP for the State.

2. There were two accused initially, the present

one and his wife. Both were charged for murder. The wife is acquitted and husband is convicted under Sec.302. The appeal is admitted. Now this is an application for bail. The quarrel between the husband and deceased arose on account of a dispute between two families on account of cultural programme. The dispute ultimately culminated into the death of one of the person receiving two injuries. At the site of the incident the deceased had come to the flat of the accused in a group and therefore it is alleged that the present accused caused death of deceased. Looking to the background this is not an act of conspiracy. There are no criminal antecedents against the accused, who was on bail during the trial and therefore, the accused is released on bail on sum of Rs.10,000/= or equal solvent surety of one in the like amount. The accused will attend Kothrud Police Station, Pune once in a fortnight initially for a period of six months and thereafter once in a month till the appeal is over.

(D.G.Deshpande, J.)

(V.M.Kanade, J.)